

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – FLINT**

In re:

PALMER, BARBARA F.,

**CHAPTER 7
CASE NO. 12-33124
HON. DANIEL S. OPPERMAN**

Debtor. /

TRUSTEE’S EX PARTE MOTION TO REOPEN CASE PURSUANT TO 11 U.S.C. §350(b)

Collene K. Corcoran, the Chapter 7 Trustee, requests this Honorable Court to enter an order to Reopen Case pursuant to 11 U.S.C. §350(b) because the Trustee just received information that the debtor, Barbara Palmer, has a personal injury claim which arose pre-petition, and that claim is property of the estate. The claim was not listed or exempted by the debtor.

The initial case was filed July 30, 2012, and the first meeting of creditors was scheduled and held on August 27, 2012. There were no disclosed assets and the case was closed on November 1, 2012. The Trustee was just notified of this settlement of the undisclosed claim for the Debtor, due to a surgical implant that occurred in 2009.

The Trustee would like to reopen this case to pursue and collect this settlement on behalf of the estate and the debtor’s creditors. In support of this Motion, the Trustee states as follows:

1. The debtor filed a Chapter 7 petition on July 30, 2012.
2. Collene K. Corcoran was appointed the Chapter 7 Trustee.
3. Because there was nothing disclosed on the schedules regarding this claim, the Trustee filed a no asset case report on August 27, 2012.

4. On November 1, 2012, the final decree was entered, and the Court closed the bankruptcy case.
5. Upon information and belief, the Trustee was just informed by Debtor's counsel that the debtor is entitled to a settlement on a personal injury claim which claim arose pre-petition.
6. This claim was not originally listed by the Debtor on her Schedules, and the Debtor did not amend her schedules to reveal this claim at any time prior to the closing of the case. The Debtor did not re-open this case to disclose this claim.
7. The Trustee requests that this Court reopen the case to allow the Trustee to investigate this asset and to administer this asset for the benefit of the creditors.
8. The Trustee requests that the fee to reopen this case is deferred and only paid by the Chapter 7 Trustee if there are assets in this case sufficient to pay the Court's fee.

WHEREFORE, Collene K. Corcoran, the Chapter 7 Trustee, requests that this Court enter an Order to Reopen the Case and requests that the filing fee for the reopening of the case be deferred.

Respectfully submitted,

Dated: January 20, 2017

/s/ Collene K. Corcoran
Collene K. Corcoran
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Debtor. _____/

ORDER GRANTING TRUSTEE’S EX PARTE MOTION TO REOPEN CASE

This matter having come before the Court on the Trustee’s Ex Parte Motion to Reopen Case, and the Court being fully advised;

IT IS ORDERED that this case, Case No. 12-33124, is re-opened.

IT IS FURTHER ORDERED that the filing fee for reopening the case is deferred, and only paid by the Chapter 7 Trustee if there are assets in this case sufficient to pay the Court’s fee.

IT IS FURTHER ORDERED that the US Trustee’s Office shall appoint a Chapter 7 Trustee to administer this case.